

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

S.S., *individually and on behalf of* E.S.
and I.S., *individually and on behalf of*
E.S.,

Plaintiffs,

-v.-

NEW YORK CITY DEPARTMENT OF
EDUCATION,

Defendant.

25 Civ. 582 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

By letter dated April 14, 2025, the parties reported to the Court that they have reached a settlement in principle in this case. (Dkt. #11). Accordingly, it is hereby:

ORDERED that this action be dismissed and discontinued without prejudice and without costs. Within sixty (60) days of the date of this Order, the parties may submit to the Court their own Stipulation of Settlement and Dismissal for the Court to So Order, or, Plaintiffs may apply by letter motion to reopen the action in the event that the settlement is not consummated. Upon such application for reinstatement, the parties shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket, and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within ten (10) days of the application, to schedule remaining pretrial proceedings and/or dispositive motions, as appropriate. If Plaintiffs fail to file an application to reopen by the

aforementioned deadline, untimely applications may be denied solely on that basis.

This Order shall be deemed a final dismissal and discontinuance of the action with prejudice in the event that Plaintiffs have not requested restoration of the case to the active calendar within such 60-day period.

The Clerk of Court is directed to terminate all pending motions, adjourn all remaining dates, and close this case.

SO ORDERED.

Dated: April 17, 2025
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

KATHERINE POLK FAILLA
United States District Judge